

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

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|--|---|------------------------|
| MARQUIS FURNITURE, INC., |) | |
| Plaintiff, |) | |
| v. |) | Case No. CIV-04-1604-F |
| |) | |
| MATHIS BROS. FURNITURE CO., INC., MATHIS |) | |
| BROS. OKLAHOMA CITY, LLC, MATHIS |) | |
| EVANS, LLC, MATHIS HOLDING, INC., |) | |
| BROYHILL FURNITURE INDUSTRIES, INC., |) | |
| and LA-Z-BOY, INC., |) | |
| Defendants. |) | |
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| BROYHILL FURNITURE INDUSTRIES, INC., |) | |
| Counter-Claimant, |) | |
| v. |) | |
| |) | |
| MARQUIS FURNITURE, INC., |) | |
| Counter-Defendant, |) | |
| and |) | |
| |) | |
| GARY D. BAUGH and MARY BAUGH, |) | |
| Third-Party Defendants. |) | |

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff, Marquis Furniture, Inc., Defendant, Broyhill Furniture Industries, Inc., and
Third-Party Defendant, Gary Baugh, hereby stipulate and agree that the above-captioned
cause be dismissed with prejudice, with each party to bear its own costs and attorney's fees.

Dated this 13th day of February, 2009.

s/ Eric S. Eissenstat

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s/ Timothy A. Carney

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CERTIFICATE OF SERVICE

☒ I hereby certify that on February 13, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for (1) filing and (2) transmittal of a Notice of Electronic Filing to the following ECF registrants: David A. Burrage, Michael Burrage, Sean Burrage, Allen W. Campbell, Timothy A. Carney, James N. Chaney, Emiline Ebrite, John N. Hermes, Drew Neville, Jr., Kurt M. Rupert, Alix L. Samara, Larry J. Saylor, Matthew L. Standard, James M. Sturdivant, Rick L. Warren, Ryan S. Wilson, and Leasa Stewart.

☐ I hereby certify that I served the attached document by regular U.S. Mail, postage prepaid, on the following, who are not registered participants of the ECF System: N/A.

s/ Eric S. Eissenstat

*Attorney for Plaintiff Marquis Furniture, Inc. and
Third-Party Defendant Gary Baugh*

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